

REMARKS

In response to the Restriction Requirement, dated June 16, 2008, applicant elects Group 1, claims 1-7, for examination. This election is made with traverse.

Applicant has amended the claims to remove improper multiple claim dependencies.

Applicant traverses the restriction requirement because the inventions of Groups 1-3 satisfy the unity of invention requirement. Claims 17-18, directed to the invention of Group 4, has been canceled.

The Examiner asserts that the inventions of Groups 1-3 lack unity of invention because U.S. Patent 5,164,354 to Aldridge et al discloses the catalyst of claim 1.

Applicant submits that the catalyst of claim 1 (Group 1) is novel and is not disclosed by Aldridge et al. Aldridge et al relate to a catalyst for desulfurization of petroleum. The catalyst is composed of a salt and/or complex of a Group VIII metal such as Co, Ni or Fe with a heteropolyacid of a Group VI metal such as Mo or W on an support of alumina, silica-alumina, etc. The specific example of the heteropolyacid is phosphomolybdic acid. See Example 1. According to the descriptions at column 2, lines 18-51 and Example 1, which have been referred to by the Examiner, these catalytic elements would be uniformly supported. In Example 1 of Aldridge et al, a Co compound, $\text{Co}(\text{Ac})_2 \cdot 4\text{H}_2\text{O}$, and a heteropolyacid, phosphomolybdic acid, were dissolved in demineralized water, and an alumina support was impregnated with the solution. This operation of dissolving in water is the same as that of Comparative Example 1 of

the present application, where the catalytic components were homogeneously (uniformly) distributed in the support.

On the other hand, since the catalyst of the present invention is produced by the process as claimed in claims 8-10 (Group 2) in which a support is impregnated with a catalytic component solution having a specific kinematic viscosity, the concentration of the catalytic component, i.e., a heteropolyacid and/or heteropolyacid salt, is one in which a substantial amount, preferably not less than 90%, of the catalytic component is present in the surface layer region to a depth of 30% from the support surface. Accordingly, the catalyst which is the common technical feature between Groups 1 and 2; Groups 1 and 3; and Groups 2 and 3 is not one disclosed in Aldridge et al, and has a specific technical feature not disclosed by Aldridge et al. Therefore, the invention of Groups 1-3 should be regarded to relate to a single general inventive concept.

Entry and consideration of this Amendment are respectfully requested.

PRELIMINARY AMENDMENT AND
RESPONSE TO RESTRICTION REQUIREMENT
U.S. Application No.: 10/539,706

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Respectfully submitted,

Sheldon I. Landsman
Sheldon I. Landsman
Registration No. 25,430

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

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